



July, 1979

Dear Reader:

I am pleased to send you the fourth issue of the Hoffmann-La Roche Viewpoints series. We are honored to have as the author of our present essay David L. Bazelon, Senior Circuit Judge of the U. S. Court of Appeals for the District of Columbia. Judge Bazelon, in his paper entitled "Risk and Responsibility," explores the important issue of risk regulation in a modern technological and democratic society. In regulating risks, a central question is posed: How much is too much, and who decides? Judge Bazelon identifies a "peculiar problem" of risk regulation, that is, while few would favor risk for its own sake, "new risks are the inevitable price of the benefits of progress in an advanced industrial society." The question then is not whether society will have risks at all, but rather how much risk and from what sources.

Scientists play an important role. They possess the expertise essential to understanding the scientific predicates of the hard issues involved in risk regulation. However, as Judge Bazelon points out, "The scientific community must not turn its back on the political process to which we commit societal decisions." Regulators, professionals and laymen themselves must be involved in the decision-making process. These different groups must reconcile the sometimes conflicting values underlying their respective viewpoints. They must cooperate in achieving a program of risk regulation that "accommodates the best of scientific learning with the demands of democracy."

The crucial role of courts in this process is to foster the kind of dialogue and reflection necessary for thorough issue analysis, Judge Bazelon contends. Courts can, for example, ensure that both scientific and political decision-makers articulate the basis for their decisions. The courts can help make sure that all data have been presented and all subjective value determinations fully explained. They can secure the openness and candor required for sound decision-making.

As suggested by Judge Bazelon's essay, a program of proper risk regulation is a major objective for our society. I am sure you will agree that these incisive comments represent a valuable contribution toward achievement of this goal.

Sincerely,

Robert B. Clark

of Risk.
cc - SAWE

Reg. 30.